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*Greg Mitchell – Acting Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

June 6, 2012

Penny Guerin & Jim Haskell
144 Holm Avenue
Portland, ME 04102

RE: 144 Holm Avenue – 270 A006 - R3 – deck & shed – permit application # 2012-05-4085

Dear Ms. Guerin & Mr. Haskell,

In reviewing your building permit to add a one story 7' x 15' addition to your house at 144 Holm Avenue, it came to our attention that the deck on the rear of the house and the shed on the rear of the garage do not meet the rear setback. Your house is located in a R3 Zone. The rear setback in the R3 Zone is twenty-five feet (section 14 – 90(d)(2)). The revised plot plan that you provided with the building permit, shows the shed is 17' from the rear property line and the deck is 15'8" from the rear property line and therefore in violation of the ordinance. Our files indicate that permits were never issued for the shed or the deck. Since they were built without permits, you have no rights to them.

You need to bring your property into compliance. We will work with you through the permitting process to modify and legalize the part of the deck that is not located within the twenty-five foot rear setback, but the part of the deck that is in violation of the setback and the shed must be removed within thirty days.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal. If you choose to file an appeal, you may contact our office for the necessary paper work.

Sincerely,

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc. file